

REMARKS

Claims 1, 11, 12, 17, and 18 have been amended. Claims 15 and 21 have been canceled and claims 22 and 23 have been added. Accordingly, after entry of this amendment, claims 1-14, 15-20, and 22-23 will remain pending.

In the Office Action dated November 16, 2005, the Examiner objected to claim 12 because it contains the trademark "KAPTON®" as a limitation. The Examiner suggested using a specific name of the type of flex-print material instead of the trademark. In response, the Applicant has amended claim 12 to delete the term "KAPTON®", leaving the term "polyimide film." As a result of this change, the Applicant has broadened the scope of claim 12 to encompass any polyimide film. With the removal of the trademark, the Applicant respectfully submits that the Examiner's objection has been overcome. Accordingly, the Applicant respectfully requests that the Examiner withdraw the objection to claim 12.

In the Office Action, the Examiner also objected to claims 17 and 18, due to typographical informalities. In particular, the Examiner noted that articles "a" and "an" should be changed to --the--. The Applicant has amended both of claims 17 and 18 in response to the Examiner's objection. In making these changes, the Applicant respectfully submits that the claims have not been amended in a manner that would subject them to a narrower interpretation, either literally or under the doctrine of equivalents. Specifically, since the changes are purely formalistic in nature, the Applicant does not intend for the changes to affect, in any way, the scope of claims 17 and 18.

In the Office Action, the Examiner rejected claims 1 and 6-7 under 35 U.S.C. § 102(e) as anticipated by Johnson et al. (U.S. Published Patent Application Publication No. 2002/0125223) (hereinafter Johnson '223). Claim 21 was rejected under 35 U.S.C. § 102(e) as anticipated by Johnson (U.S. Patent No. 6,758,948) (hereinafter Johnson '948).

In addition, the Examiner rejected claims 2, 10 and 17 under 35 U.S.C. § 103(a) as obvious over Johnson '223 in view of Johnson (U.S. Patent No. 6,511,577) (hereinafter Johnson '577). Claims 3-5, 8-9, and 18-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Johnson '223 in view of Johnson '948. Next, the Examiner found that claims 11-12 and 15-16 are unpatentable under 35 U.S.C. § 103(a) over Johnson '223 in view of Ishii et al. (U.S. Patent No. 5,571,366) (hereinafter Ishii). The Examiner also stated that claims 13-14 are unpatentable, under 35 U.S.C. § 103(a), over Johnson '223 in view of Ishii and further in view of Johnson '577. Finally, the Examiner determined that claim 20 is unpatentable under 35 U.S.C. § 103(a) over Johnson '223 in view of Johnson '948 and further in view of Johnson '577. In response, the Applicant respectfully disagrees with each of the rejections and, therefore, respectfully traverses same.

The Applicant respectfully submits that claims 1 and 6-7 are patentable over Johnson '223 because the claims recite an assembly combining a number of features including, for example, an electrostatic shield coupled to a process tube such that the electrostatic shield resides around the process tube and, at times of process tube removal from the plasma reactor, the electrostatic shield is extracted with the process tube. Johnson '223 provides no discussion of this feature, among others. Accordingly, Johnson '223 cannot anticipate claims 1 and 6-7.

Johnson '223 describes a radio frequency power source for generating an inductively coupled plasma. In Fig. 7A, Johnson '223 illustrates a construction where an electrostatic shield surrounds a process tube. However, there is no discussion in Johnson '223 that the electrostatic shield is coupled to the process tube, among other features. Accordingly, Johnson '223 cannot be relied upon to anticipate claims 1 and 6-7 because the reference fails to disclose each and every feature recited by the claims. As a result, the

Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. § 102(e).

With respect to the rejection of claim 21, the Applicant respectfully points out that claim 21 has been canceled, thereby rendering the rejection as moot. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection of claim 21 under 35 U.S.C. § 102(e).

Turning to the rejections under 35 U.S.C. § 103(a), the Applicant respectfully points out that Johnson '577 and Johnson '948 were commonly owned (and have been commonly owned or subject to common ownership since their respective invention dates) by the same entity, Tokyo Electron Limited. Accordingly, under 35 U.S.C. § 103(c) and as clarified by M.P.E.P. § 706.02(l), neither of these references may be applied as prior art to the claims of the present invention for purposes of fashioning a rejection under 35 U.S.C. § 103(a).

With respect to the rejection of claims 2 and 17 under 35 U.S.C. § 103(a), the Applicant respectfully points out that Johnson '577 cannot be applied as prior art. In addition, the Applicant respectfully points out that the rejection fashioned by the Examiner is unfounded because, if applicable as prior art, Johnson '577 does not address the deficiencies of Johnson '223. As pointed out above, with respect to claims 2 and 17, Johnson '223 fails to describe an apparatus where the electrostatic shield is coupled to the process tube, among other features. Johnson '577 does not cure this deficiency. Accordingly, the Applicant respectfully submits that, even if Johnson '577 were available as prior art (which it is not), the mere discussion of a spira-shield by Johnson '577 would not be sufficient to fashion a proper rejection under 35 U.S.C. § 103(a). As a result, the Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. § 103(a).

Concerning the rejection of claim 10 under 35 U.S.C. § 103(a), the Applicant respectfully submits that claim 10 is not rendered obvious by the combination of Johnson '223 and Johnson '577. Claim 10 recites an assembly that combines a number of features including, among them, an electrostatic shield patterned directly on the process tube. In contrast to the present invention, there is no discussion in Johnson '223 of at least this feature. Not only is Johnson '577 unavailable as prior art, but Johnson '577 does not cure this deficiency. Accordingly, assuming that the references could be combined (which they cannot), the combination of the two references would not render obvious claim 10. As a result, the Applicant respectfully requests that the Examiner withdraw the rejection.

Turning to the rejection of claims 3-5, 8-9, and 18-19 under 35 U.S.C. § 103(a), the Applicant first points out that Johnson '948 cannot be applied as prior art, as noted above. In addition, the Applicant respectfully submits that, if Johnson '948 could be applied as prior art, Johnson '948 does not cure the deficiencies noted above with respect to the independent claims from which claims 3-5, 8-9, and 18-19 depend. Accordingly, Johnson '948 cannot be combined properly with Johnson '223 to render these claims obvious.

Similarly, the Applicant respectfully submits that Johnson '223 cannot be combined properly with Ishii to render obvious claims 11-12 and 25-16. The deficiencies of Johnson '223 have been noted previously. Ishii does not cure these deficiencies and, as a result, cannot be relied upon to render obvious claims 11-12 and 15-16.

The Applicant respectfully submits that claims 13-14 also are patentable over the combination of Johnson '223, Ishii, and Johnson '577. As noted above, Ishii and Johnson '577 do not cure the deficiencies of Johnson '223 and, therefore, cannot be combined properly with Johnson '223 to render obvious these claims. As a result, the Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. § 103(a).

It is also respectfully submitted that claim 20 is patentable over Johnson '223, Johnson '948 and Johnson '577 for similar reasons. Specifically, as noted above, Johnson '948 and Johnson '577 cannot be applied as prior art under 35 U.S.C. § 103(a) against the claims. In addition, neither reference cures the deficiencies noted with respect to Johnson '223. Accordingly, the Applicant respectfully submits that claim 20 is patentable thereover.

Turning to claims 22 and 23, the Applicant respectfully submits that the claims are patentable over all of the references cited at least due to their dependencies on claims 1 and 11, respectively.

Each of the objections and rejections having been addressed, the Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the application be passed quickly to issue.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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